

Remarks

Upon entry of the foregoing amendment, claims 1-14 and 16 are pending in the application, with claims 1, 2, 3, 7, 8, 9, 10, and 14 being the independent claims. Claim 15 is cancelled without prejudice to or disclaimer of the subject matter therein.

The indication of allowability of claims 2-7 and 9-16 is noted with appreciation. Claims 2, 3, 7, 9, 10 and 14 are rewritten in independent form, rendering claims 2-7 and 9-14 allowable. Claim 8 is amended to incorporate the limitation of allowable claim 15, thus rendering claim 8 allowable, and claim 16 is amended to depend from claim 8. Claim 1 is amended to broaden its scope and increase its clarity, and not in response to the pending rejection under 35 U.S.C. 102.

As a result of the above amendment, claims 2-14 and 16 are allowable in accordance with the indication of allowable subject matter in the Office Action.

Claim 1 was rejected under 35 U.S.C. 102 based on U.S. Patent 5,309,235 to Naimpally. Applicant respectfully requests that the Examiner reconsider this rejection in view of the following remarks.

Claim 1 has been amended to increase its clarity, and also to recite "selectively providing at the output of the circuit, as an output pulse, *one and only one* of said set of possible pulses corresponding to said digital level."

The Naimpally '235 patent appears to disclose, in Figure 4, a mapper that maps a group of five bits into a constellation shown in Figure 5. The mapper incorporates a QAM encoder that produces I channel and Q channel pulse outputs. The combined I and Q channel output defines a mapping in the Figure 5 constellation.

Naimpally '235 does not disclose that "one and only one" of the I and Q channel outputs are provided in response to a specified input level. Instead, Naimpally's circuit provides *both* outputs as a *combined signal* each time an output is generated.

Thus, claim 1 is distinguished from the Naimpally reference by its recitation that an output pulse is selected from a set of available output pulses.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Evan R. Smith", written over a horizontal line.

Evan R. Smith
Attorney for Applicant
Registration No. 35,683

Date: 1/10/05

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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